

**House Study Bill 223 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON HOLT)

**A BILL FOR**

1 An Act relating to parental consent regarding internet  
2 sites for users under the age of sixteen, providing civil  
3 penalties, and including applicability provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 554G.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "*Child*" means an individual younger than sixteen years  
5 of age.

6 2. "*Gaming site*" means an internet site offering video game  
7 play to individuals.

8 3. "*Internet site*" means the same as defined in section  
9 4.1. "*Internet site*" does not include an online retailer or  
10 marketplace.

11 4. "*Social media account*" means an individualized account  
12 that a user uses to access a social media company's social  
13 media internet site.

14 5. "*Social media company*" means a company responsible for  
15 operating and maintaining a social media internet site that  
16 meets all of the following criteria:

17 a. Allows users, through the creation of pages within  
18 the internet site or profiles or by other means, to provide  
19 information about themselves that is available to the public  
20 or to other users.

21 b. Allows users a mechanism for communication with other  
22 users.

23 6. "*Splash page*" means an introductory page that precedes  
24 the main pages on an internet site.

25 Sec. 2. NEW SECTION. 554G.2 Social media accounts —  
26 parental notification.

27 1. A social media company or gaming site shall not allow a  
28 child in the state to maintain a social media account on the  
29 social media company's internet site or access to a gaming  
30 site, unless a parent or legal guardian grants permission for  
31 the child to access the site.

32 2. A social media company or gaming site shall verify a  
33 child has consent from a parent or legal guardian prior to  
34 allowing a child to access a social media account or gaming  
35 site.

1 3. When an individual on a social media company or gaming  
2 site's splash page indicates that they are a child, a parent or  
3 legal guardian may indicate consent to the child's use of the  
4 internet site by utilizing any of the following:

5 a. Signing a digital form consenting to the terms of  
6 service.

7 b. Using a credit card, debit card, or other online payment  
8 system.

9 c. Calling a toll-free telephone number provided by the  
10 social media company or gaming site.

11 d. Connecting to trained social media company or gaming site  
12 personnel via video conference.

13 e. Submitting a form of government-issued identification.

14 4. A social media company or gaming site shall send a copy  
15 of the written confirmation of a parent or legal guardian's  
16 consent to the child's use of the internet site to the parent  
17 or legal guardian.

18 **Sec. 3. NEW SECTION. 554G.3 Failure to consent.**

19 If a parent or legal guardian fails or refuses to consent  
20 to the terms of service on behalf of their child, the social  
21 media company or gaming site shall deny a child access to the  
22 internet site.

23 **Sec. 4. NEW SECTION. 554G.4 Penalties.**

24 A social media company or gaming site in violation of this  
25 chapter shall be assessed a civil penalty in the amount of one  
26 thousand dollars per violation.

27 **Sec. 5. APPLICABILITY.** This Act applies to a social media  
28 company or gaming site operating in the state ninety days  
29 following enactment.

30 **EXPLANATION**

31 The inclusion of this explanation does not constitute agreement with  
32 the explanation's substance by the members of the general assembly.

33 This bill relates to parental consent regarding internet  
34 sites for users under the age of 16.

35 The bill defines "internet site", "child", "gaming site",

1 "social media account", "social media company", and "splash  
2 page". For purposes of the bill, a "child" is an individual  
3 under 16 years of age. The bill defines a "gaming site"  
4 to mean an internet site that offers video game play to  
5 individuals. The bill defines "social media account" to mean  
6 an individualized account that a user uses to access a social  
7 media company's social media internet site. The bill defines  
8 a "social media company" to mean a company responsible for  
9 operating and maintaining a social media internet site that  
10 meets all of the specified criteria.

11 The bill requires a social media company (company) or  
12 a gaming site to ensure that a child in the state is not  
13 utilizing the company's internet site or gaming site without a  
14 parent's or legal guardian's consent. A company or gaming site  
15 shall verify that a child has consent from a parent or guardian  
16 before the child is allowed to access the internet site.

17 The bill provides that a company or gaming site shall send  
18 a copy of a parent's or guardian's consent to the parent or  
19 guardian. A company or gaming site shall use a specified  
20 method to verify parental or guardian consent, including a  
21 digital consent form, an online payment system, a toll-free  
22 telephone number, a video conference with trained personnel, or  
23 by accepting a form of government-issued identification.

24 The bill provides that if a parent or guardian fails or  
25 refuses to consent to their child accessing a social media  
26 account or gaming site, the company or gaming site shall deny  
27 the child access to the internet site.

28 The bill provides for civil penalties. A social media  
29 company or gaming site in violation of the bill shall be  
30 assessed a civil penalty in the amount of \$1,000 per violation.

31 The bill is applicable to a social media company or gaming  
32 site operating in the state 90 days after enactment.